

valuation for the support thereof; provided that no tax shall be levied in support of said districts until approved by a vote of the qualified electors residing therein. Such a district may provide emergency medical services, emergency ambulance services, rural fire prevention and control services, or other emergency services authorized by the Legislature.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 3, 1987. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment to allow for the creation and establishment, by law, of special districts to provide emergency services."

Adopted by the Senate on May 7, 1987, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 23, 1987, by the following vote: Yeas 30, Nays 0. Adopted by the House, with amendment, on May 21, 1987, by the following vote: Yeas 125, Nays 18, one present not voting.

Filed with the Secretary of State, May 26, 1987.

S.J.R. No. 34

SENATE JOINT RESOLUTION

proposing a constitutional amendment giving the state a limited right to appeal in criminal cases.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. Article V, Section 26, of the Texas Constitution is amended to read as follows:

Sec. 26. The State *is entitled to* ~~[shall have no right of]~~ appeal in criminal cases, *as authorized by general law.*

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 3, 1987. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment giving the state a limited right to appeal in criminal cases."

Adopted by the Senate on May 19, 1987, by the following vote: Yeas 26, Nays 4.

Adopted by the House on May 25, 1987, by the following vote: Yeas 119, Nays 23.

Filed with the Secretary of State, May 28, 1987.

S.J.R. No. 35

SENATE JOINT RESOLUTION

proposing a constitutional amendment to permit spouses to hold community property with right of survivorship.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. Article XVI, Section 15, of the Texas Constitution is amended to read as follows:

Sec. 15. All property, both real and personal, of a spouse owned or claimed before marriage, and that acquired afterward by gift, devise or descent, shall be the separate property of that spouse; and laws shall be passed more clearly defining the rights of the spouses, in relation to separate and community property; provided that persons about to marry and spouses, without the intention to defraud pre-existing creditors, may by written instrument from time to time partition between themselves all or part of their property, then existing or to be acquired, or exchange between themselves the community interest of one spouse or future spouse in any property for the community interest of the other spouse or future spouse in other community property then existing or to be acquired, whereupon the portion or interest set aside to each spouse shall be and constitute a part of the separate property and estate of such spouse or future spouse; ~~[and the]~~ spouses *also* may from time to time, by written instrument, agree between

themselves that the income or property from all or part of the separate property then owned [~~by one of them,~~] or which thereafter might be acquired *by only one of them*, shall be the separate property of that spouse; [~~and~~] if one spouse makes a gift of property to the other that gift is presumed to include all the income or property which might arise from that gift of property; *and spouses may agree in writing that all or part of their community property becomes the property of the surviving spouse on the death of a spouse.*

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 3, 1987. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment permitting spouses to hold community property with right of survivorship."

Adopted by the Senate on April 21, 1987, by the following vote: Yeas 28, Nays 2.

Adopted by the House on May 27, 1987, by the following vote: Yeas 135, Nays 0, two present not voting.

Filed with the Secretary of State, June 1, 1987.

S.J.R. No. 53

SENATE JOINT RESOLUTION

proposing a constitutional amendment to allow the legislature to limit the authority of a governor to fill vacancies in state and district offices if the governor is not reelected.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. Article IV, Section 12, of the Texas Constitution is amended to read as follows:

Sec. 12. (a) All vacancies in State or district offices, except members of the Legislature, shall be filled unless otherwise provided by law[,] by appointment of the Governor, which appointment, if made during its session, shall be with the advice and consent of two-thirds of the Senate present. If made during the recess of the Senate, the said appointee, or some other person to fill such vacancy, shall be nominated to the Senate during the first ten days of its session. If rejected, said office shall immediately become vacant, and the Governor shall, without delay, make further nominations, until a confirmation takes place. But should there be no confirmation during the session of the Senate, the Governor shall not thereafter appoint any person to fill such vacancy who has been rejected by the Senate; but may appoint some other person to fill the vacancy until the next session of the Senate or until the regular election to said office, should it sooner occur. Appointments to vacancies in offices elective by the people shall only continue until the next [first] general election [thereafter].

(b) *The Legislature by general law may limit the term to be served by a person appointed by the Governor to fill a vacancy in a state or district office to a period that ends before the vacant term otherwise expires or, for an elective office, before the next election at which the vacancy is to be filled, if the appointment is made on or after November 1 preceding the general election for the succeeding term of the office of Governor and the Governor is not elected at that election to the succeeding term. For purposes of this subsection, the expiration of a term of office or the creation of a new office constitutes a vacancy.*

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 3, 1987. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment to allow the legislature to limit the authority of a governor to fill vacancies in state and district offices during the end of the governor's term if the governor is not reelected."

Adopted by the Senate on May 21, 1987, by the following vote: Yeas 30, Nays 0.

Adopted by the House on May 28, 1987, by the following vote: Yeas 113, Nays 28, one present not voting.

Filed with the Secretary of State, June 1, 1987.